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### REMARKS

Claims 1-26 are pending, of which claims 16-26 are withdrawn. By this response, Applicants have amended independent claim 1 and dependent claim 5. Applicants traverse all of the rejections in the Office Action and respectfully request reconsideration and passage of the claims to allowance for the following reasons.

#### I. REJECTION OF CLAIMS 1-15 UNDER 35 U.S.C. § 102

Claims 1-15 were rejected under 35 U.S.C. 102(b) as being anticipated by Published International Application WO 98/31115 for Gordon et al. (Gordon). In response, the Applicants' amend independent claim 1 and respectfully traverse the rejection.

Gordon teaches a system for interactively distributing information services. The system uses three independent communications channels to facilitate distribution and interactive control of the information distribution process. (See Gordon, p. 3, ll. 4-19). A program selection request is propagated through the back channel to the service provider and the service provider then sends the program through the information channel for display on the subscriber equipment. (See *Id.*)

The Applicants' respectfully submit that Gordon fails to anticipate the Applicants' invention because Gordon fails to teach or suggest a transport stream generator for using received demand-cast guide page usage information to control which demand-cast guide pages of said array of guide pages are inserted into a demand-cast stream, which are then multiplexed into a transport stream and for generating the multiplexed transport stream for transmission to a plurality of terminals via the distribution network to deliver a requested demand-cast guide page to a terminal requesting said requested demand-cast guide page, as positively recited by Applicants' independent claim 1. Specifically, amended independent claim 1 positively recites:

1. (Currently Amended) A system for providing access to an array of guide pages from an interactive program guide within constraints imposed

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by limited bandwidth available in a distribution network, the system comprising:

- a distribution control center coupled to the distribution network;
- a session manager in the distribution control center for monitoring and controlling usage of demand-cast stream bandwidth within the distribution network; and

- a transport stream generator including a processor and a multiplexer, the transport stream generator for receiving demand-cast guide page usage information from the session manager, for using said information to control which demand-cast guide pages of said array of guide pages are inserted into a demand-cast stream, which are then multiplexed into a transport stream, and for generating the multiplexed transport stream for transmission to a plurality of terminals via the distribution network to deliver a requested demand-cast guide page to a terminal requesting said requested demand-cast guide page. (Emphasis added).

In one embodiment, the Applicants' invention provides a system for providing demand-cast guide pages to a user terminal. Demand-cast guide pages may be guide pages that are likely to be accessed less frequently, for example, "far look ahead" guide pages. (See e.g., Applicants' specification, p. 14, ll. 16-18). As a result, if a requested demand-cast guide page is not in a particular demand cast stream within a transport stream, the requested demand-cast guide page may be inserted. (See e.g., Applicants' specification, p. 15, ll. 2-4). In one embodiment, a transport stream generator is used for using received demand-cast guide page usage information to control which demand-cast guide pages of said array of guide pages are inserted into a demand-cast stream, which are then multiplexed into a transport stream and for generating the multiplexed transport stream for transmission to a plurality of terminals via the distribution network to deliver a requested demand-cast guide page to a terminal requesting said requested demand-cast guide page.

In contrast, Gordon at best discloses that a user accesses an on-screen browser for finding movie information and prices. (See Gordon, p. 9, ll. 15-25). Subsequently, a movie is selected by the user and the selected movie is delivered. (See *Id.* at ll. 26-34). Notably, Gordon does not teach or suggest that a terminal requests or is delivered a requested demand-cast guide page. In other words, Gordon does not teach or suggest the claimed transport stream

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generator for using received demand-cast guide page usage information to control which demand-cast guide pages of said array of guide pages are inserted into a demand-cast stream, which are then multiplexed into a transport stream and for generating the multiplexed transport stream for transmission to a plurality of terminals via the distribution network to deliver a requested demand-cast guide page to a terminal requesting said requested demand-cast guide page, as claimed by the Applicants' Invention. Therefore, claim 1 is patentable over Gordon under §102.

Claims 2-15 depend, directly or indirectly, from claim 1 and, thus, inherit the patentable subject matter of claim 1, while adding additional elements and further defining elements. Therefore, claims 2-15 are also patentable over Gordon under §102 for at least the reasons given above with respect to claim 1.

### CONCLUSION

For the foregoing reasons, Applicants respectfully request reconsideration and passage of the claims to allowance. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jimmy Kim at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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